

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BOOZ ALLEN HAMILTON HOLDING
CORPORATION,

Plaintiff,

- v -

RAMEZ TANNOUS SHEHADI and
WALID FAYAD,

Defendants.

Civil Action No.
1:19-cv-00869-CMH-JFA

JOINT DISCOVERY PLAN

Pursuant to the Court's January 10, 2020 order, plaintiff/counterclaim defendant Booz Allen Hamilton Holding Corporation ("Booz Allen"), third-party defendant Booz Allen Hamilton Inc. ("BAH Inc.") and defendants/counterclaim plaintiffs Ramez Shehadi ("Shehadi") and Walid Fayad ("Fayad"), submit their joint discovery plan.

On January 17, 2020, the undersigned counsel conferred regarding the claims, defenses, possibilities of a prompt settlement or resolution of the case, trial before a magistrate judge, the disclosures required by Rule 26(a)(1), and a discovery plan. Counsel agreed on these matters:

1. **Initial Disclosures.** The parties agree that the deadline for service of initial disclosures, with the content set forth in Rule 26(a)(1)(A), is February 14, 2020.
2. **Amendments/Joinder.** The parties agree that the deadline for joining additional parties and for amendment of pleadings is March 9, 2020.
3. **Consent to Magistrate Judge.** At this time, the parties do not agree to the assignment of this case to a magistrate judge.

4. **Settlement Possibilities.** The parties have initiated settlement discussions and expect those discussions to continue.

5. **Discovery cut-off.** As set forth in the January 10, 2020 order, discovery must be completed by May 15, 2020.

6. **Fact Depositions.** The parties do not anticipate they will need to take more than five non-party, non-expert depositions each, given the nature of the claims and anticipated defenses.

7. **Expert Disclosures.** The parties agree to exchange expert witness reports and information pursuant to Rule 26(a)(2) and Local Civil Rule 26(D) as follows:

- Booz Allen and BAH Inc. will serve expert witness report(s) together with all information required by Fed. R. Civ. P. 26(a)(2) by no later than March 20, 2020.
- Shehadi and Fayad will serve expert witness report(s) together with all information required by Fed. R. Civ. P. 26(a)(2) by no later than April 17, 2020.
- Any rebuttal report is due May 1, 2020.

Depositions of any expert witness will take place after the experts' reports have been served.

8. **Written Discovery.** The parties do not anticipate they will need to serve more than thirty (30) interrogatories, including parts and subparts, on each party. The parties agree that the exchange of written requests for the production of documents and responses shall be conducted pursuant to Fed. R. Civ. P. 34 and Local Civil Rule 26(B) and (C), including the specific requirements governing electronic documents. The parties agree that the exchange of written

requests for admission shall be conducted pursuant to Fed. R. Civ. P. 36 and Local Civil Rule 26(B) and (C).

9. **Preservation of Discoverable Information.** Counsel represent that they have made their respective clients aware of their obligations regarding preservation of discoverable information.

10. **Electronically-Stored Information.** The parties recognize their obligation, pursuant to the Federal Rules of Civil Procedure, to preserve and produce, if requested in discovery, all relevant, non-privileged documentation, including electronically-stored information. Counsel have agreed to work cooperatively to resolve any issues concerning the disclosure or discovery of electronically-stored information.

11. **Protective Order.** The parties contemplate submitting to the Court an agreed-upon protective order. The parties shall work together to agree on a form and shall comply with the requirements of *Virginia Dept. of State Police v. The Washington Post, et al.*, 386 F.3d 567, 575-76 (4th Cir. 2004) and *Ashcraft v. Conoco*, 218 F.3d 288 (4th Cir. 2000). The parties will maintain the confidentiality of any documents or information designated in good faith as confidential unless and until a Protective Order is entered governing the designated documents and information. The parties agree to work to promptly prepare a Protective Order in the event confidential documents are sought in discovery.

12. **Claim of Privilege or Protection of Trial Preparation Materials.** The parties have agreed that an inadvertent production or disclosure of materials subject to a claim of privilege or work product shall not cause a waiver of such privilege or protection. In the event that any party inadvertently produces documents or materials subject to a claim of privilege or protection, the producing party will identify the inadvertent disclosure and the receiving party will

promptly return the materials. All parties will also produce a log of all documents withheld on the basis of attorney client privilege or other evidentiary privilege or doctrine.

13. **Final Pre-trial Conference.** As set forth in the January 10, 2020 order, the final pre-trial conference will be held on May 21, 2020 at 10:00 a.m.

14. **Dispositive Motions.** The parties agree that Fed. R. Civ. P. 56 and Local Civil Rule 56 shall govern motions for summary judgment.

15. **Pre-Trial Filings.** The parties must electronically file, on or before the final pre-trial conference on May 21, 2020, the Rule 26(a)(3) disclosures, a list of the exhibits to be used at trial, a list of the witnesses to be called at trial and a written stipulation of uncontested facts. The exhibits themselves or a copy should be exchanged with opposing counsel before the conference. The parties shall file their Motions in Limine to be heard the Friday before trial or earlier if possible.

16. **Objections.** Objections to trial exhibits and witnesses must be filed by June 1, 2020.

17. **Electronic Service of Documents.** The parties agree that discovery requests or other papers not served via ECF may be served on counsel of record by means of email provided that all exhibits and attachments to same are included. The email addresses for counsel for defendant and counsel for plaintiff are those set forth below.

Date: January 21, 2020

Respectfully Submitted,

By: /s/ Benjamin S. Boyd

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